

HOUSE BILL 523

D1

1lr1561

By: **Delegates Rosenberg and Dumais**
Introduced and read first time: February 7, 2011
Assigned to: Judiciary and Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 8, 2011

CHAPTER _____

1 AN ACT concerning

2 **Courts – Fee for the Special Admission of an Out-of-State Attorney – Janet L.**
3 **Hoffman Loan Assistance Repayment Program**

4 FOR the purpose of requiring the State Court Administrator to assess a certain fee for
5 the special admission of an out-of-state attorney and to pay a certain portion of
6 the fee into the Janet L. Hoffman Loan Assistance Repayment Program;
7 requiring certain funds for the Program to be allocated to certain individuals;
8 providing that funds for the Program include money paid to the Program from
9 the assessment of a certain fee; and generally relating to funding for the Janet
10 L. Hoffman Loan Assistance Repayment Program with fees paid for the special
11 admission of out-of-state attorneys.

12 BY repealing and reenacting, without amendments,
13 Article – Business Occupations and Professions
14 Section 10–215
15 Annotated Code of Maryland
16 (2010 Replacement Volume)

17 BY repealing and reenacting, with amendments,
18 Article – Courts and Judicial Proceedings
19 Section 7–202
20 Annotated Code of Maryland
21 (2006 Replacement Volume and 2010 Supplement)

22 BY repealing and reenacting, without amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Education
2 Section 18–1502
3 Annotated Code of Maryland
4 (2008 Replacement Volume and 2010 Supplement)

5 BY repealing and reenacting, with amendments,
6 Article – Education
7 Section 18–1504
8 Annotated Code of Maryland
9 (2008 Replacement Volume and 2010 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article – Business Occupations and Professions**

13 10–215.

14 (a) Subject to subsections (b) and (c) of this section, on a motion filed as
15 required by rules adopted by the Court of Appeals, a court may grant special
16 admission to practice law in a particular case to an individual who is:

17 (1) admitted to the bar of another state; and

18 (2) employed by a party in the case before:

19 (i) a court or other unit of the State government; or

20 (ii) a unit of a political subdivision of the State.

21 (b) A special admission to practice law may be granted only:

22 (1) by the court hearing the case for which an individual requests the
23 special admission; or

24 (2) if the case is before a unit other than a court, by:

25 (i) the circuit court for the county where the unit has its
26 principal office; or

27 (ii) any circuit court to which the case may be appealed.

28 (c) An individual may practice law under this section only in connection with
29 the case for which the special admission is granted.

30 (d) An individual who practices law under this section is subject to
31 disciplinary proceedings as the Maryland Rules provide.

1 18-1502.

2 (a) There is a program of loan assistance repayment known as the Janet L.
3 Hoffman Loan Assistance Repayment Program in the State.

4 (b) The Office of Student Financial Assistance shall assist in the repayment
5 of the amount of any higher education loan owed by an individual who:

6 (1) (i) Receives a graduate, professional, or undergraduate degree
7 from:

8 1. A college or university in the State of Maryland; or

9 2. A school of law; or

10 (ii) Receives a Resident Teacher Certificate (RTC) from the
11 Department after completing an alternative teaching preparation program approved
12 by the State Superintendent;

13 (2) Obtains eligible employment;

14 (3) Receives an income that is less than the maximum eligible total
15 income levels established by the Office, including any additional sources of income;
16 and

17 (4) Satisfies any other criteria established by the Office.

18 (c) An applicant for assistance in the repayment of a commercial loan shall
19 demonstrate to the Office that the commercial loan was used for tuition, educational
20 expenses, or living expenses for graduate or undergraduate study.

21 (d) Assistance in the repayment of a loan from an entity set forth in §
22 18-1501(c)(2) of this subtitle shall require the approval of the Office.

23 18-1504.

24 **(A) FUNDS FOR THE JANET L. HOFFMAN LOAN ASSISTANCE**
25 **REPAYMENT PROGRAM DESCRIBED IN SUBSECTION (B)(2) OF THIS SECTION**
26 **SHALL BE ALLOCATED BY THE COMMISSION TO AN INDIVIDUAL WHO:**

27 **(1) HAS RECEIVED A GRADUATE DEGREE FROM A SCHOOL OF**
28 **LAW; AND**

29 **(2) HAS SUBMITTED AN APPLICATION FOR THE JANET L.**
30 **HOFFMAN LOAN ASSISTANCE REPAYMENT PROGRAM THAT THE COMMISSION**
31 **DISAPPROVED DUE TO INSUFFICIENT FUNDS.**

1 ~~(A)~~ **(B)** Funds for the Janet L. Hoffman Loan Assistance Repayment
2 Program shall [be]:

3 **(1)** **BE** provided on an annual basis in the State budget; **AND**

4 **(2)** **INCLUDE MONEY PAID TO THE PROGRAM FROM THE FEE**
5 **CHARGED FOR A SPECIAL ADMISSION OF AN OUT-OF-STATE ATTORNEY UNDER §**
6 **7-202(E) OF THE COURTS ARTICLE.**

7 ~~(B)~~ **(C)** If a federal matching grant loan program furnishes professional
8 services in an eligible field of employment to low-income or underserved residents of
9 the State, the Office may apply not more than 50 percent of the funds provided in the
10 State budget for the Janet L. Hoffman Loan Assistance Repayment Program to the
11 State’s participation in the federal program.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.